

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of OA-1579-1  
Tracy/Monroe Township  
Pursuant to Minnesota Statutes 414

**FINDINGS OF FACT,  
CONCLUSIONS OF LAW  
AND ORDER**

The joint resolution for orderly annexation submitted by the City of Tracy and Monroe Township was reviewed for conformity with applicable law. By delegation, the Chief Administrative Law Judge hereby makes and files the following Findings of Fact, Conclusions of Law, and Order.

**FINDINGS OF FACT**

1. The Chief Administrative Law Judge or authorized designee reviewed and accepted the joint resolution which was adopted by the City on September 23, 2013, and the Township on December 13, 2012, and filed with the Office of Administrative Hearings, Municipal Boundary Adjustment Unit on July 10, 2014.

2. The joint resolution requests the designation and immediate annexation of certain property to the City of Tracy described as follows:

All that part of the Northeast 1/4, Section 22, T.109N., R40W., Lyon County, Minnesota described as follows:

Commencing at the Northeast corner of said Northeast 1/4; thence North 90 degrees 00 minutes 00 seconds West, assumed bearing, along the North line of said Northeast 1/4, a distance of 439.42 feet to the Point of Beginning, said point being on the Westerly right-of-way line of the Chicago & North-western Railroad (now known as Dakota, Minnesota & Eastern Railroad, or the Canadian Pacific Railway); thence continuing along the last described course a distance of 188.93 feet; thence South 00 degrees 00 minutes 00 seconds East, a distance of 284.63 feet; thence South 81 degrees 15 minutes 13 seconds East, a distance of 504.17 feet; thence Southeasterly a distance of 184.52 feet along a curve not tangential with the last described line, said curve is concave to the Southwest, has a radius of 3,663.81 feet, a central angle of 02 degrees 53 minutes 08 seconds, and the cord of said curve bears South 46 degrees 12 minutes 44 seconds East, said

curve ends on the intersection of the East line of the Northeast 1/4; thence North 00 degrees 21 minutes 33 seconds West, along said East line, said line not tangent to said curve, 34.13 feet to the Westerly right-of-way line of the above-named railroad; thence Northwesterly along said right-of-way along a curve not tangential with the last described line, said curve is concave to the Southwest, has a radius of 3638.81 feet, a central angle of 03 degrees, 48 minutes 22 second, and the cord of said curve bears North 45 degrees 23 minutes 01 second West; thence North 43 degrees 27 minutes 47 seconds West, tangent to said curve and along said right-of-way, a distance of 392.80 feet to the Point of Beginning;

AND

Commencing at the Northeast corner of said Northeast 1/4; thence North 90 degrees 00 minutes 00 seconds West, assuming bearing, along the North line of said Northeast 1/4, a distance of 628.35 feet to the Point of Beginning; thence South 00 degrees 00 minutes 00 seconds East, a distance of 284.63 feet; thence South 81 degrees 15 minutes 13 seconds East, a distance of 504.17 feet; thence Southeasterly along a curve to the left, said curve is not tangential with the last described line and has a radius of 3663.81 feet and a central angle of 00 degrees 48 minutes 00 seconds and a chord that bears South 45 degrees 04 minutes 14 seconds East and an arc length of 51.15 feet; thence North 80 degrees 24 minutes 20 seconds West, a distance of 552.24 feet; thence North 00 degrees 00 minutes 00 seconds East, a distance of 305.37 feet to a point on the north line of said Northeast 1/4; thence North 90 degrees 00 minutes 00 seconds East, a distance of 10.00 feet to the Point of Beginning.

Said tract of land subject to any existing highways, roadways or easements.

3. Minnesota Statutes § 414.0325, subd. 1(h) states that in certain circumstances the Chief Administrative Law Judge may review and comment, but shall within 30 days order the annexation pursuant to the terms of a joint resolution for orderly annexation.

4. The joint resolution contains all the information required by Minnesota Statutes § 414.0325, subd. 1(h).

### **CONCLUSIONS OF LAW**

1. The Office of Administrative Hearings has jurisdiction of the within proceeding.

2. An order should be issued by the Chief Administrative Law Judge or authorized designee annexing the area described herein.

**ORDER**

1. The property described in Findings of Fact 2 is annexed to the City of Tracy.

2. Pursuant to Minnesota Statutes § 414.036, no reimbursement shall be made to Monroe Township by the City of Tracy in accordance with the terms of the Joint Resolution signed by the City on September 23, 2013, and the Township on December 13, 2012.

Dated: August 12, 2014

  
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TIMOTHY J. O'MALLEY  
Deputy Chief Administrative Law Judge  
Municipal Boundary Adjustment Unit